

STATE OF MICHIGAN  
MICHIGAN ADMINISTRATIVE HEARING SYSTEM  
ADMINISTRATIVE HEARINGS FOR THE  
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:



Reg. No: 2011-33466  
Issue No: 2009  
Case No: [REDACTED]  
Hearing Date:  
September 7, 2011  
Jackson County DHS

**ADMINISTRATIVE LAW JUDGE:** Suzanne L. Morris

**HEARING DECISION**

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 upon claimant's request for a hearing. After due notice, an in-person hearing was held on September 7, 2011. The claimant personally appeared and provided testimony.

**ISSUE**

Did the department properly determine claimant's disability status for Medicaid (MA) eligibility purposes?

**FINDINGS OF FACT**

The Administrative Law Judge, based upon the competent, material and substantial evidence on the whole record, finds as material fact:

1. Claimant is a 46-year-old female who filed a disability-based MA application on August 3, 2010, requesting retro MA for May, June and July, 2010.
2. On January 28, 2011, the Medical Review Team determined the claimant was not disabled.
3. On May 3, 2011, the department received claimant's timely written hearing request disputing this denial.
4. On September 7, 2011, claimant's in-person hearing was held.
5. At the hearing, the claimant and her representative provided information showing the claimant had been approved for Social Security Disability.

6. The department printed the Social Security report (SOLQ Report), showing the claimant was approved for RSDI benefits with an onset date of May 29, 2010.

### **CONCLUSIONS OF LAW**

The Medical Assistance (MA) program is established by Title XIX of the Social Security Act and is implemented by Title 42 of the Code of Federal Regulations (CFR). The Department of Human Services (DHS or department) administers the MA program pursuant to MCL 400.10, et seq., and MCL 400.105. Department policies are found in the Program Administrative Manual (PAM), the Program Eligibility Manual (PEM) and the Program Reference Manual (PRM).

In Michigan, the SSA's determination of disability onset is binding for MA eligibility purposes. In the present case, evidence of the favorable SSA decision conclusively establishes claimant meets the federal disability standard necessary to qualify for MA/retro MA pursuant to BEM 150, 260 and 261.

The SSA found an onset date of May 29, 2010, which covers the claimant's application and retro MA application period. Consequently, the department must reverse its erroneous denial and process claimant's disputed application in accordance with department policy.

### **DECISION AND ORDER**

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides the department erred in determining claimant is not disabled.

Accordingly, the department's decision is REVERSED, and it is Ordered that:

1. The department shall approve MA/retro MA benefits for claimant under her August 3, 2010 application, as long as claimant is otherwise eligible to receive them.

2. Departmental review of claimant's medical condition is not necessary as long as her SSA disability status continues.

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/s/  
Suzanne L. Morris  
Administrative Law Judge  
for Maura D. Corrigan, Director  
Department of Human Services

Date Signed: September 13, 2011

Date Mailed: September 14, 2011

**NOTICE:** Administrative Hearings may order a rehearing or reconsideration on either its own motion or at the request of a party within 30 days of the mailing date of this Decision and Order. Administrative Hearings will not order a rehearing or reconsideration on the Department's motion where the final decision cannot be implemented within 90 days of the filing of the original request.

The Claimant may appeal the Decision and Order to Circuit Court within 30 days of the receipt of the Decision and Order or, if a timely request for rehearing was made, within 30 days of the receipt date of the rehearing decision.

SLM/ac

cc:

[REDACTED]